## **Advisory Action** Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/751,410	SUH, JONG YEUL		
F			
Examiner	Art Unit		

The MALINE DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 83 August 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  1. ■ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of it application, applicant must timely file one of the following replies: (1) an amendment, afficavit, or other evidence, which places the application in condition for allowance, (2) a shotice of Appeal in orrophiance with 37 CFR 4.173 (a) a Request for Continued Examination (RCE) in compliance with 37 CFR 4.174. The reply must be filed within one of the following time periods:  a) □ The period for reply expires (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later, no event however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Examine Mole: Those its obtacled, chase site the box (a) or (b). DNLY CHECK 800x (b) WHEN THE FIRST XERIN WAS FLIED WITHIN TV Extensions of time may be distanced under 37 CFR 1.134(a). The date on which the polition under 37 CFR 1.134(a) and the appropriate extension fee when been filed is the date for purposes of determining the period of extension and the corresponding amount of the file. The appropriate extension fee under 37 CFR 1.174(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final deficience, even if timely file may reduce any earned patent form adjustment. See 37 CFR 1.704(b).  MOITCE CF APPEAL.  □ The Notice of Appeal was filed on A brief in compliance with 37 CFR 4.1.37(m), to avoid dismissal of the appeal. Since Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 4.1.37(a).  MOITCE CF APPEAL.    MOITCE CF APPEAL.		ASHLINKHAN	2021			
1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandomment of it application, applicant must timely file one of the following replies: (1) an amendment, affaiding, or other eviden, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31: or (3) a Reques for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:  a	The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence add	ress		
application, applicant must timely file one of the following replies (1) an amendment, affidavit, or other evidence, which paces the application in condition for allowance, (2) a. Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.1.31, (7) (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.1.14. The reply must be filed within one of the following time periods:  a) The period for reply expires	THE REPLY FILED <u>03 August 2009</u> FAILS TO PLACE THIS AF	PPLICATION IN CONDITION FOR	ALLOWANCE.			
b)	application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 C	replies: (1) an amendment, affidavi eal (with appeal fee) in compliance	t, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request		
no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Exeminer Note: If box 1s checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TW MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purpose of determining the port of the shortened statutory period for reply originally section, or (2) saft forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed and the proposed and the proposed and the proposed statutors are deviced to the final rejection, even if timely filed and the proposed is the statutory period for the filed and the proposed and filing the Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  A	a) The period for reply expiresmonths from the mailing	date of the final rejection.				
have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension feu under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2); set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed may reduce any earned patent term adjustment. See 37 CFR 1.70(b).  NOTICE OF APPEAL  2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal also been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS  3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See attrached Response to the amendment (See 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). Applicant's reply has overcome the following rejection(s): would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  7. For purposes of appeal, the proposed amendment(s): a) Zwill not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows:	no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or ( MONTHS OF THE FINAL REJECTION. See MPEP 706.07(i	ater than SIX MONTHS from the mailin b). ONLY CHECK BOX (b) WHEN THE f).	g date of the final rejection FIRST REPLY WAS FI	on. LED WITHIN TWO		
filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  3.  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See atlached Response to the amendment. (See 37 CFR 1.116 and 41.33(a)).  4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. Applicant's reply has overcome the following rejection(s):  Applicant's reply has overcome the following rejection(s):  Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) allowed:  Claim(s) allowed:  Claim(s) dolyected to:  Claim(s) dolyected to:  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  AFFIDAVITOR OTHER EVIDENCE  By The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because the affidiavit or other evidence filed after a final action, but before or on the date of filing a Potice of Appeal will not be entered because applicant falled to provide a showing of good and sufficient reasons why the affidavit or other evi	have been filed is the date for purposes of determining the period of ext under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the s set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b).	ension and the corresponding amount hortened statutory period for reply orig than three months after the mailing da	of the fee. The appropria inally set in the final Offic	ate extension fee e action; or (2) as		
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	Supervisory Patent Examiner, Art Unit 2621					
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